

STATE OF ALABAMA  
ST. CLAIR COUNTY

The City Council of the City of Pell City met in a regularly scheduled work session at City Hall at 5:30 p.m. on Monday, June 26, 2023. Present were Council President Alverson, Councilmembers Jay Jenkins, Ivi McDaniel, Blaine Henderson, and Jason Mitcham. Those present constituting the entirety of the Council, Council President Alverson opened the meeting for discussion.

The invocation was led by Pastor Donald Gover.

The pledge to the American Flag was led by City Clerk Sheree Pruitt.

The City Clerk had roll call for attendance.

Art Meadows addressed the Council regarding concerns with regard to brush pick up by Arrow Disposal. Mr. Meadows advised that Arrow Disposal was damaging the yards while picking up brush out of the right-of-way. He advised that pictures had been provided of the damage to the yards to the City Clerk and stated that he had also spoken with Street Superintendent Greg Gossett, Chris with Arrow, and Ms. Steele with Arrow. Councilman Henderson and Mitcham confirmed with Mr. Meadows that grass and leaves shall be bagged as per the agreement with Arrow Disposal. Mr. Muenger confirmed the equipment that was used by Arrow was the same equipment used by the previous contractor. Mr. Meadows advised that he was the spokesperson for the other residents of the neighborhood and advised that the City of Trussville was having the same issues with Arrow. Council President Alverson requested that Mr. Gossett follow up with the Arrow and Mr. Meadows and provide guidance to correct the behavior.

There were no comments regarding the bills on file.

There were no comments regarding the minutes from the regularly scheduled Council Meetings held on May 22, 2023 or June 12, 2023.

City Manager Brian Muenger addressed Council regarding the Public Hearing scheduled for 6:00 p.m. regarding the vacation of undeveloped alleys and street right-of-way in the 400 Block of Cogswell Avenue. Mr. Muenger advised the Council had previously set the date and time for the Public Hearing and confirmed that staff had not received any comments regarding the vacation request. He confirmed the request was received from the Planning Commission with unanimous recommendation for approval.

There were no comments regarding the Public Hearing scheduled for 6:00 p.m. with regard to the condemnation of the following properties:

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|---|-----------------------------------|
| 1) 17 22 <sup>nd</sup> Street North (Lee Motel) | Parcel ID: 28-01-01-2-004-009.000 |
| 2) 706 28 <sup>th</sup> Street North            | Parcel ID: 23-07-36-4-004-010.000 |
| 3) 506 29 <sup>th</sup> Street North            | Parcel ID: 23-07-36-4-005-040.000 |
| 4) 107 Lakeview Drive                           | Parcel ID: 28-02-03-4-000-019.000 |

City Clerk Sheree Pruitt addressed the Council with regard to setting a Public Hearing for the following properties to determine whether the following properties should be considered a Public Nuisance and ordered abated. Mrs. Pruitt advised the earliest date the Public Hearing could be held was August 14, 2023.

- |                                      |                                   |
|--------------------------------------|-----------------------------------|
| 1) 401 4 <sup>th</sup> Street North  | Parcel ID: 23-08-34-4-002-005.000 |
| 2) 308 4 <sup>th</sup> Street North  | Parcel ID: 23-08-34-4-002-021.000 |
| 3) 3305 Stemley Bridge Road          | Parcel ID: 29-04-19-1-000-008.000 |
| 4) 3220 6 <sup>th</sup> Avenue North | Parcel ID: 22-09-31-3-001-021.000 |
| 5) 506 29 <sup>th</sup> Street North | Parcel ID: 23-07-36-4-005-040.000 |

Ron Helms with Union State Insurance addressed the Council regarding a proposal received from Alabama Municipal Insurance Company. Mr. Helms reminded Council of the previously

approved policy for six months leaving the current policy to become effective on July 1, 2023. He advised the coverage was the same and there was a three percent savings, which was automatic with a three-year renewal. City Manager Brian Muenger advised he had been in discussion with Mr. Helms regarding the flood insurance that was required for the Municipal Complex. Mr. Muenger stated the complex was not in a flood plain and there had not been any issues in recent years. Mr. Helms confirmed that there was no need to have the coverage and advised it was a \$7,000 per year savings if it could be removed.

City Manager Brian Muenger addressed the Council with regard to awarding the bid for the Dye Creek Wastewater Treatment Plant Maintenance Building to Goodgame Company, Inc. Mr. Muenger stated the bid packet for the construction of the building was robust and requested Mr. Hadaway provide the details to Council to include value engineering. Utility Superintendent James Hadaway advised that there were two locations that hosted employees for Utility Department personnel. He advised having the building constructed would allow for them to streamline their processes. Mr. Muenger stated the building as designed was barebones, but functional. He confirmed the low bidder provided a list of value engineering options that would not affect the functionality of the building. Mr. Hadaway advised he preferred to keep the brick on the building and stated there were a couple item that could change internally that would also save money. Mr. Muenger advised the funds would be paid from the operating account.

Utility Supervisor James Hadaway addressed the Council regarding a hiring request for a Wastewater Operator. He advised the candidate has extensive knowledge and experience and would like to offer him the salary for range 15, step 16. Mr. Hadaway further stated the offer would be contingent upon passing all requirements in the employment process. City Manager Brian Muenger confirmed the most recent pay study validated that Grade 4 operators was lower than the standard rate of pay.

City Clerk Sheree Pruitt address the Council regarding the Final Plat Resurvey for 811 31<sup>st</sup> Street North / 3012 9<sup>th</sup> Avenue North and Lots 5, 6, 7, and 8 located in The Reserve at Logan Martin Subdivision. Mrs. Pruitt advised the final plats were from the planning commission with unanimous approval.

City Manager Comments: Mr. Muenger reminded everyone about the July 4<sup>th</sup> Fireworks Show.

Mayor Comments: None.

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The City Council of the City of Pell City met in a regularly scheduled council meeting at City Hall immediately following the work session on Monday, June 26, 2023. Present were Council President Jud Alverson, Councilmembers Jay Jenkins, Ivi McDaniel, Blaine Henderson, and Jason Mitcham. Those present constituting the entirety of the Council, the following business was transacted:

The City Clerk had roll call for attendance.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously approved the payment of bills on file.

On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved the minutes from the regularly scheduled Council Meetings held on May 22, 2023 and June 12, 2023.

Now was the time set aside for a Public Hearing regarding a request for undeveloped alleys and street right-of-way vacation located in the 400 Block of Cogswell Avenue.

Council President Alverson opened the Public Hearing at 6:09 p.m., there being no one present, he closed the Public Hearing at 6:09 p.m.

Councilmember Henderson moved that all rules and regulations, which unless suspended would prevent the immediate consideration and adoption of said Resolution, be suspended and that unanimous consent to the immediate consideration and adoption of said Resolution be given. The motion was seconded by Councilmember Mitcham. On roll call vote those voting aye being: Councilmember Jenkins, McDaniel, Henderson, Mitcham, and Council President Alverson. Nays: None. Council President Alverson declared the motion approved.

Councilmember McDaniel then moved that said Resolution be now placed upon its final passage and adopted. The motion was seconded by Councilmember Mitcham. The question being put as to the adoption of said motion and the passage of said Ordinance, on roll call vote, the motion was unanimously approved. On roll call vote those voting aye being: Councilmember Jenkins, McDaniel, Henderson, Mitcham, and Council President Alverson. Nays: None. Council President Alverson declared the motion approved and the Ordinance adopted.

Now was the time set aside for a Public Hearing regarding the condemnation of the structure located at 17 22<sup>nd</sup> Street North. Council President Alverson opened the Public Hearing at 6:11 p.m. Building Official Jerry Dailey recommended the Council table the resolution. He advised that the property owners had begun the process of remediation for the asbestosis and would then proceed to demolition. There being no one else present Council President Alverson closed the Public Hearing at 6:12 p.m.

On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously tabled **RESOLUTION NO. 2023 – 5848** declaring the structure located at 17 22<sup>nd</sup> Street North to be unsafe to the extent of being a Public Nuisance and ordering the structure demolished.

Now was the time set aside for a Public Hearing regarding the condemnation of the structure located at 706 28<sup>th</sup> Street North. Council President Alverson opened the Public Hearing at 6:13 p.m. Ms. Mary Domit (406 30<sup>th</sup> Street North) was present and advised they had completed the majority of the work noted in their plan. She advised Building Inspector Alex Fortenberry had conducted an inspection and advised there was one more item that needed repaired. Building Official Jerry Dailey recommended the Council table the resolution. There being no one else present, Council President Alverson closed the Public Hearing at 6:15 p.m.

On motion of Councilmember Mitcham, seconded by Councilmember McDaniel, the Council unanimously approved to table **RESOLUTION NO. 2023 – 5847** declaring the structure located at 706 28<sup>th</sup> Street North to be unsafe to the extent of being a Public Nuisance and ordering the structure demolished for 30 days.

Now was the time set aside for a Public Hearing regarding the condemnation of the structure located at 506 29<sup>th</sup> Street North. Council President Alverson opened the Public Hearing at 6:15 p.m. Building Official Jerry Dailey advised he had spoken to the owner Paul Golden and provided him information regarding Mr. Golden acting as the contractor for the remodel. Mr. Dailey also advised that he reminded Mr. Golden of the Public Hearing to take place. Building Official Jerry Dailey recommended the Council approve the resolution as presented. There being no one else present, Council President Alverson closed the Public Hearing at 6:23 p.m.

On motion of Councilmember Mitcham, seconded by Councilmember McDaniel, the Council unanimously approved to table **RESOLUTION NO. 2023 – 5853** declaring the structure located at 506 29<sup>th</sup> Street North to be unsafe to the extent of being a Public Nuisance and ordering the structure demolished for two weeks (July 10, 2023).

Now was the time set aside for a Public Hearing regarding the condemnation of the structure located at 107 Lakeview Drive. Council President Alverson opened the Public Hearing at 6:24

p.m. David Ellen (980 Lilac Arbor Road), part owner of the property advised he had trouble obtaining a contractor to complete the work. Mr. Ellen advised he had received several offers for the property and structure and requested a continuance.

Louie McKnight (111 Lakeview Drive) addressed the Council regarding the property. Mr. McKnight advised that the house had been vacant for several years and was not closed to the elements. He acknowledged a roof had been replaced a few years ago and confirmed that some repair work was conducted to the rear of the house.

City Manager Brian Muenger advised Council of the history of the property with regard to its nuisance state and advised the house needed to be closed up at a minimum.

Douglas Ellen (65 Bagwell Road) advised he would board up the open windows the next day.

David Ellen advised he could have a contract on the structure in less than two weeks. He requested the Council table the resolution for two weeks. There being no one else present, Council President closed the Public Hearing at 6:23 p.m.

On motion of Councilmember Mitcham, seconded by Councilmember McDaniel, the Council unanimously approved to table **RESOLUTION NO. 2023 – 5851** declaring the structure located at 107 Lakeview Drive to be unsafe to the extent of being a Public Nuisance and ordering the structure demolished for two weeks (July 10, 2023).

On motion of Councilmember Mitcham, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2023 – 5917** setting a Public Hearing on August 14, 2023 to determine whether the following properties should be considered a public nuisance and ordered abated.

401 4 <sup>th</sup> Street North	Parcel ID: 23-08-34-4-002-005.000
308 4 <sup>th</sup> Street North	Parcel ID: 23-08-34-4-002-021.000
3305 Stemley Bridge Road	Parcel ID: 29-04-19-1-000-008.000
3220 6 <sup>th</sup> Avenue North	Parcel ID: 22-09-31-3-001-021.000
506 29 <sup>th</sup> Street North	Parcel ID: 23-07-36-4-005-040.000

On motion of Councilmember Mitcham, seconded by Councilmember McDaniel, the Council unanimously approved a proposal received from Alabama Mutual Insurance Company (AMIC) as presented.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously approved **RESOLUTION NO. 2023 – 5918** awarding the bid for the Dye Creek Wastewater Treatment Plant Maintenance Building to Goodgame Company, Inc.

On motion of Councilmember Mitcham, seconded by Councilmember McDaniel, the Council unanimously approved the hiring request for a Wastewater Operator as presented on Range 15, Step 16.

On motion of Councilmember Mitcham, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2023 – 5919** approving a Final Plat Resurvey for the Addition to Park Place for 811 31<sup>st</sup> Street North and 3012 9<sup>th</sup> Avenue North and identified the property as being grandfathered as a non-confirming size.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously approved **RESOLUTION NO. 2023 – 5920** approving a Final Plat Resurvey for the Reserve at Logan Martin Subdivision for Lots 5, 6, 7, and 8.

City Attorney John Rea advised that the Council needed to enter into Executive Session to discuss potential litigation involving the City as well as a potential real estate transaction. Mr. Rea certified this qualified for Executive Session and did not expect the session to last any longer than 30 minutes and did expect any action from the session. At 7:00 p.m., Councilmember Henderson made a motion to enter into Executive Session until 6:00 p.m. The motion was seconded by Councilmember Jenkins and unanimously approved by the Council. On roll call, those voting aye being: Council President Alverson, Councilmembers Jenkins, Mitcham, and Henderson. Nays: None. Council President Alverson declared the motion approved.

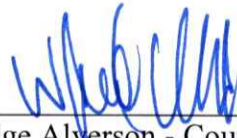
City Council re-entered the Council Meeting at 7:30 p.m.

Councilmember Henderson moved that all rules and regulations, which unless suspended would prevent the immediate consideration and adoption of said Resolution, be suspended and that unanimous consent to the immediate consideration and adoption of said Resolution be given. The motion was seconded by Councilmember Mitcham. On roll call vote those voting aye being: Councilmember Jenkins, McDaniel, Henderson, Mitcham, and Council President Alverson. Nays: None. Council President Alverson declared the motion approved.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously approved to amend the agenda to add **RESOLUTION NO. 2023-5920** authorizing an infrastructure release, maintenance and repair agreement with Rausch Coleman regarding portions of Fox Hollow Subdivision. On roll call vote those voting ayes being: Councilmember Jenkins, McDaniel, Henderson, Mitcham, and Council President Alverson. Nays: None. Council President Alverson declared the motion approved.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously approved **RESOLUTION NO. 2023-5920** authorizing an infrastructure release, maintenance and repair agreement with Rausch Coleman regarding portions of Fox Hollow Subdivision.

On motion of Councilmember Henderson, seconded by Councilmember Mitcham, the Council adjourned, subject to the call of Council President Alverson.



W. Judge Alverson - Council President

ATTEST:



Sheree D. Pruitt - City Clerk